

BARRY J. PORTMAN
Federal Public Defender
LARA S. VINNARD
Assistant Federal Public Defender
160 West Santa Clara Street, Suite 575
San Jose, CA 95113
Telephone: (408) 291-7753

E-FILED ***6/22/07***

Counsel for Defendant BAUTISTA-MUNOZ

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-00189 RMW
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING AND EXCLUDE TIME;
v.)	PROPOSED ORDER
)	
GREGORIO BAUTISTA MUNOZ,)	
)	
Defendant.)	
_____)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Monday, June 11, 2007, be continued to Monday, July 23, 2007, at 9:00 a.m.

The continuance is requested because the defense has submitted the defendant's A-File to an immigration attorney for review with respect to possible motions and trial defenses. Additionally, the defense is awaiting further discovery from the government, specifically, a tape recording of the defendant's deportation hearing.

The parties further agree that time should be excluded under the Speedy Trial Act because the defense requires time for effective preparation and investigation, and the ends of justice outweigh the defendant's and the public's need for a speedy trial.

STIPULATION TO CONTINUE
HEARING DATE; ~~PROPOSED~~ ORDER
XXXXXXXXXX
No. CR 07-00189 RMW

1 Dated: 6/7/07

/s/
LARA S. VINNARD
Assistant Federal Public Defender

3 Dated: 6/7/07

/s/
BENJAMIN KENNEDY
Assistant United States Attorney

5
6 **ORDER**

7 The parties have jointly requested a continuance of the hearing set for June 11, 2007, to
8 allow time for the government to provide additional discovery.

9 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
10 presently set for June 11, 2007, be continued to July 23, 2007, at 9:00 a.m.

11 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
12 from June 11, 2007, to July 23, 2007, shall be excluded from the period of time within which
13 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

14 Dated: 6/22/07

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge